United Nations A/64/726

General Assembly

Distr.: General
24 March 2010
English
Original: French

**Sixty-fourth session**
Agenda item 111 (h)
**Elections to fill vacancies in subsidiary organs and other elections: election of fourteen members of the Human Rights Council**

## Note verbale dated 18 March 2010 from the Permanent Mission of Switzerland to the United Nations addressed to the Secretary-General

The Permanent Mission of Switzerland to the United Nations presents its compliments to the Secretary-General of the United Nations and has the honour to inform him that Switzerland has decided to present its candidature to the Human Rights Council at the elections to be held during the sixty-fourth session of the General Assembly on 13 May 2010.

In accordance with General Assembly resolution 60/251, Switzerland has prepared a document indicating the efforts that it has made in order to promote human rights as well as the voluntary pledges and commitments that it plans to undertake.

Switzerland would be grateful if the Secretary-General would arrange for this note and its annex to be circulated as a document of the United Nations (see annex).

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## Annex to the note verbale dated 18 March 2010 from the Permanent Mission of Switzerland to the United Nations addressed to the Secretary-General

## Voluntary pledges and commitments in accordance with General Assembly resolution 60/251

Switzerland is presenting its candidature for a second term on the Human Rights Council for the period 2010-2013. During its first term, Switzerland was fully committed, together with all other members, observers and non-governmental organizations, to ensuring that the Human Rights Council should become a strong and effective institution. It also launched initiatives individually or with partners from other regional groups in the fields of human rights education and transitional justice. It worked to ensure that the Council could deal appropriately with human rights situations in all the countries of the world. It also volunteered to be among the first countries to be examined in the framework of the universal periodic review. Since then, it has striven to carry out, in partnership with its civil society, the recommendations made to it. Lastly, Switzerland has carried out a major part of the pledges and commitments that it had made in accordance with resolution 60/251.

Switzerland, the host State of the Human Rights Council, is fully committed to the promotion of human rights, which is a priority of its foreign policy. It therefore believes that it can contribute in an inclusive and open manner to the strengthening of the Human Rights Council to enable it to fulfil all its potential as the leading human rights body of the United Nations for the benefit of the women, men and children in each of our countries, paying particular attention to victims and vulnerable groups.

With this goal in mind, Switzerland presents the following voluntary pledges and commitments.

**The Swiss Government pledges to:**

**1. Continue to cooperate fully with the Human Rights Council in order to make it a strong, effective and equitable United Nations body for the promotion and protection of human rights by**

- Helping to ensure that this institution based in Geneva can fulfil its mandate under the best possible conditions;
- Actively participating in the work of the Council in a spirit of cooperation, inclusion and authentic dialogue with its partners from all regions in order to work to implement civil, political, economic, social and cultural rights;
- Contributing to the ongoing reflection on the review of the work and functioning of the Council in order to strengthen its capacities after an initial period of five years;
- Undertaking the commitment to ensure that the Council can deal with human rights situations everywhere and in an appropriate manner and can react to human rights violations wherever they occur;

- Pursuing its commitment to the Council's role of preventing human rights violations, particularly through human rights education and training as well as transitional justice;
- Pursuing dialogue with countries that are not Council members, regional organizations and civil society and improving the participation of non-governmental organizations in the work of the Council.

**2. Reaffirm its support for the Office of the United Nations High Commissioner for Human Rights and the other United Nations funds, programmes and agencies concerned by**

- Continuing its close collaboration and dialogue with the Office of the High Commissioner for Human Rights and maintaining its financial support at its current level;
- Promoting a development approach based on human rights in its support for United Nations operational activities and in its commitment within the executive bodies of the United Nations Development Programme, the United Nations Children's Fund, the United Nations Population Fund, the Joint United Nations Programme on HIV/AIDS, the United Nations Development Fund for Women, the World Health Organization, and the Food and Agriculture Organization of the United Nations;
- Pursuing improved integration of activities related to human rights, transitional justice and the rule of law in the work of the Peacebuilding Commission of the United Nations, particularly within the framework of the country-specific meeting on Burundi, which Switzerland has been chairing since July 2009;
- Contributing to current efforts to reform the treaty monitoring system;
- Continuing to support the updating of the human rights index country by country, which is based on official United Nations documents and constitutes a useful reference and information instrument accessible to all.

**3. Promote human rights at the international level by**

- Helping States to carry out their human rights obligations through different mechanisms such as human rights dialogues, exchanges of experts, technical cooperation and providing advice;
- Contributing through Swiss development cooperation to the promotion and protection of human rights, the rule of law, democracy and good governance in partner countries together with both public actors and those in civil society and the private sector;
- Continuing its active contribution to the process of identifying and clarifying the obligations of States, the responsibilities of companies and the channels of appeal in the event of human rights violations by companies;
- Maintaining financial support for Swiss and international non-governmental organizations which contribute to the promotion of human rights and support the work of the Office of the High Commissioner for Human Rights and the Special Rapporteurs of the Council.

**4. Promote human rights at the national level by**

- Complying with its human rights obligations at the federal and cantonal levels and promoting awareness of the need to respect human rights among all bodies and actors in society through training, awareness-raising and increased dialogue;
- Implementing the provisions of recently ratified treaties such as the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, and the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women; and authorizing the Committee against Torture to exercise its prerogatives as stipulated by the Optional Protocol to the Convention against Torture;
- Examining the possibility of ratifying various regional human rights instruments;
- Examining the possibility of ratifying in the near future the International Convention for the Protection of All Persons from Enforced Disappearance;
- Examining the possibility of ratifying the Convention on Rights of Persons with Disabilities;
- Cooperating fully with treaty monitoring bodies by submitting its reports regularly and following up the recommendations made by those bodies;
- Cooperating fully with all the Council's special procedures, for which Switzerland addressed a standing invitation in April 2002, and facilitating all arrangements necessary for such visits;
- Including civil society in the implementation of the recommendations made during the universal periodic review.

**Internet addresses of official Swiss human rights sites**

- Switzerland's human rights priorities:
  *http://www.eda.admin.ch/eda/f/home/foreign/humsec/humrig.html*
- Swiss Human Rights Policy Report (2000):
  *http://www.admin.ch/ch/f/ff/2000/2460.pdf*
- Switzerland's Human Rights Foreign Policy Report (2003-2007):
  *http://www.eda.admin.ch/eda/fr/home/doc/publi/phumig/archiv/html*
- Peace and Human Rights in Swiss Foreign Policy:
  *http://www.eda.admin.ch/etc/medialib/downloads/edazen/doc/publi.Par.0178.File.tmp/EDA%20PA%201V_Bericht%202006_fr.pdf*
- Swiss Agency for Development and Cooperation, Human Rights Policy: For a Life in Dignity:
  *http://www.deza.admin.ch/fr/Accueil/Themes/Etat_de_droit_democratie/Droits_humains*
- Switzerland and the United Nations:
  *http://www.eda.admin.ch/sub_uno/f/uno.html*
- State Secretariat for Economic Affairs (SECO) — Corporate Social Responsibility (CSR):
  *http://www.seco.admin.ch/themen/00645/04008/index.html?lanf=fr*

United Nations A/64/727

General Assembly

Distr.: General
25 March 2010

Original: English

Sixty-fourth session
Agenda item 128
**International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991**

## Letter dated 19 March 2010 from the President of the Security Council addressed to the President of the General Assembly

I have the honour to transmit herewith the text of resolution 1915 (2010), adopted unanimously by the Security Council at its 6286th meeting, held on 18 March 2010, which reads:

*The Security Council,*

*Taking note* of the letter to the President of the Council from the Secretary-General dated 15 March 2010 (S/2010/133), attaching the letter from the President of the International Tribunal for the former Yugoslavia ("the International Tribunal") dated 1 March 2010,

*Recalling* its resolutions 827 (1993) of 25 May 1993, 1581 (2005) of 18 January 2005, 1597 (2005) of 20 April 2005, 1613 (2005) of 26 July 2005, 1629 (2005) of 30 September 2005, 1660 (2006) of 28 February 2006, 1668 (2006) of 10 April 2006, 1800 (2008) of 20 February 2008, 1837 (2008) of 29 September 2008, 1849 (2008) of 12 December 2008, 1877 (2009) of 7 July 2009, and 1900 (2009) of 16 December 2009,

*Recalling* that in resolution 1900 (2009) the Security Council decided that, notwithstanding the expiry of their terms of office on 31 December 2009, Judges Kimberley Prost (Canada) and Ole Bjorn Stole (Norway) complete the *Popović* case; and that the total number of ad litem judges serving at the International Tribunal may temporarily exceed the maximum of twelve provided for in article 12, paragraph 1, of the Statute of the International Tribunal, to a maximum of thirteen at any one time, returning to a maximum of twelve by 31 March 2010,

*Taking note* of the fact that due to unforeseen circumstances the delivery of the judgment in the *Popović* case is delayed and will not be rendered by the end of March 2010,

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*Convinced* of the advisability of allowing the total number of ad litem judges serving at the International Tribunal to temporarily exceed the maximum of twelve provided for in article 12, paragraph 1, of the Statute of the International Tribunal,

*Urging* the International Tribunal to take all possible measures to complete its work expeditiously,

*Acting* under Chapter VII of the Charter of the United Nations,

1. *Decides* that the total number of ad litem judges serving at the International Tribunal may temporarily exceed the maximum of twelve provided for in article 12, paragraph 1, of the Statute of the International Tribunal, to a maximum of thirteen at any one time, returning to a maximum of twelve by 30 June 2010, or upon completion of the *Popović* case if sooner;

2. *Decides* to remain seized of the matter.

(*Signed*) Emmanuel **Issoze-Ngondet**
President of the Security Council

United Nations A/64/728

General Assembly

Distr.: General
26 March 2010

Original: English

**Sixty-fourth session**
Agenda item 155
**Financing of the United Nations Stabilization Mission in Haiti**

# Financing arrangements for the United Nations Stabilization Mission in Haiti for the period from 1 July 2009 to 30 June 2010

**Note by the Secretary-General**

## I. Introduction

1. By its resolution 63/294 on the financing of the United Nations Stabilization Mission in Haiti (MINUSTAH), the General Assembly appropriated for MINUSTAH the total amount of $638,706,400 for the period from 1 July 2009 to 30 June 2010, inclusive of $611,751,200 for the maintenance of the Mission, $22,433,300 for the support account for peacekeeping operations and $4,521,900 for the United Nations Logistics Base at Brindisi, Italy.

2. Resources approved by the General Assembly for MINUSTAH provided for the maintenance of 7,060 military contingent personnel, 951 United Nations police officers and 1,140 formed police personnel. In its resolution 1892 (2009), the Security Council decided that MINUSTAH would consist of a military component of up to 6,940 troops and a police component of up to 2,211 police. Subsequently, in light of the devastating earthquake on 12 January 2010 in Haiti, the Council, in its resolution 1908 (2010), endorsed the increase of the overall force levels of MINUSTAH to support the immediate recovery, reconstruction and stability efforts, and decided that MINUSTAH would consist of a military component of up to 8,940 troops of all ranks and a police component of up to 3,711 police.

3. In the spirit of the decision taken by the Security Council and the commitment shown by Member States in supporting the Government and the people of Haiti, the Secretary-General has authorized MINUSTAH to deploy all means available to provide support and enable humanitarian operations to be carried out in accordance with its mandated responsibilities to facilitate the provision and coordination of humanitarian assistance and to expedite access of humanitarian workers to Haitians in need.

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4. As a consequence, the operational requirements of MINUSTAH have increased accordingly. The tragic loss of life of the Mission's personnel, the magnitude of the damage to its equipment, facilities and infrastructure, as well as the requirements to respond to the wider humanitarian crisis, have significant implications for the resource requirements for MINUSTAH for 2009/10. The additional requirements are currently estimated at $129,341,800, of which $8,700,000 can be accommodated through reprioritization of the utilization of currently approved resources for 2009/10, resulting in net additional requirements of $120,641,800 (see table).

(Thousands of United States dollars)

| Category | Initial apportionment (1) | Military and police personnel (2) | Civilian personnel (3) | Replacement and re-establishment of Mission assets and infrastructure (4) | Santo Domingo support office (5) | Community violence reduction programmes (6) | Total requirements (7)=(1)+(2)+(3)+(4)+(5)+(6) | Reprioritization of initial apportionment (8) | Net additional requirements (9)=(7)-(1) | Percentage (10)=(9)÷(1)×100 |
|---|---|---|---|---|---|---|---|---|---|---|
| **Military and police personnel** | | | | | | | | | | |
| Military observers | — | — | — | — | — | — | — | — | — | — |
| Military contingents | 196 036.7 | 25 236.0 | — | — | — | — | 221 272.7 | — | 25 236.0 | 12.9 |
| United Nations police | 57 961.6 | 6 007.6 | — | — | — | — | 63 969.2 | — | 6 007.6 | 10.4 |
| Formed police units | 32 690.7 | 23 463.0 | — | — | — | — | 56 153.7 | — | 23 463.0 | 71.8 |
| **Subtotal** | **286 689.0** | **54 706.6** | — | — | — | — | **341 395.6** | — | **54 706.6** | **19.1** |
| **Civilian personnel** | | | | | | | | | | |
| International staff | 92 418.4 | — | 8 942.0 | — | — | — | 101 360.4 | — | 8 942.0 | 9.7 |
| National staff | 30 772.9 | — | 3 131.5 | — | — | — | 33 904.4 | — | 3 131.5 | 10.2 |
| United Nations Volunteers | 12 313.0 | — | 3 058.8 | — | — | — | 15 371.8 | — | 3 058.8 | 24.8 |
| General temporary assistance | 4 770.5 | — | — | — | — | — | 4 770.5 | — | — | — |
| **Subtotal** | **140 274.8** | — | **15 132.3** | — | — | — | **155 407.1** | — | **15 132.3** | **10.8** |
| **Operational costs** | | | | | | | | | | |
| Government-provided personnel | 1 451.1 | — | — | — | — | — | 1 451.1 | — | — | — |
| Civilian electoral observers | — | — | — | — | — | — | — | — | — | — |
| Consultants | 214.9 | — | — | — | — | — | 214.9 | — | — | — |
| Official travel | 1 829.1 | — | 3 272.6 | — | — | — | 4 101.7 | (1 000.0) | 2 272.6 | 124.2 |
| Facilities and infrastructure | 84 991.9 | 8 921.6 | 6 362.8 | 9 799.9 | 2 530.0 | — | 107 206.2 | (5 400.0) | 22 214.3 | 26.1 |
| Ground transportation | 13 247.2 | 229.6 | — | 1 900.0 | 150.0 | — | 15 526.8 | — | 2 279.6 | 17.2 |
| Air transportation | 30 648.6 | — | — | — | — | — | 30 648.6 | — | — | — |
| Naval transportation | 1 316.4 | — | — | — | — | — | 1 316.4 | — | — | — |
| Communications | 25 004.7 | 844.6 | — | 4 500.0 | 1 250.0 | — | 29 599.3 | (2 000.0) | 4 594.6 | 18.4 |
| Information technology | 7 004.3 | — | — | 3 000.0 | 500.0 | — | 10 504.3 | — | 3 500.0 | 50.0 |
| Medical | 6 921.6 | 1 300.0 | — | — | — | — | 8 221.6 | — | 1 300.0 | 18.8 |
| Special equipment | 3 325.4 | 429.3 | — | — | — | — | 3 754.7 | — | 429.3 | 12.9 |

| Category | Initial apportionment (1) | Military and police personnel (2) | Civilian personnel (3) | Replacement and re-establishment of Mission assets and infrastructure (4) | Santo Domingo support office (5) | Community violence reduction programmes (6) | Total requirements (7)=(1)+(2)+(3)+(4)+(5)+(6)[a] | Reprioritization of initial apportionment (8) | Net additional requirements (9)=(7)-(1) | Percentage (10)=(9)÷(1)*100 |
|---|---|---|---|---|---|---|---|---|---|---|
| Other supplies, services and equipment | 5 832.2 | — | 2 462.5 | 1 050.0 | — | 12 900.0 | 21 944.7 | (300.0) | 16 112.5 | 276.3 |
| Quick-impact projects | 3 000.0 | — | — | — | — | — | 1 100.0 | (1 900.0) | (1 900.0) | (63.3) |
| **Subtotal** | **184 787.4** | **11 725.1** | **12 097.9** | **20 249.9** | **4 430.0** | **12 900.0** | **235 590.3** | **(10 600.0)** | **50 802.9** | **27.5** |
| **Gross requirements** | **611 751.2** | **66 431.7** | **27 230.2** | **20 249.9** | **4 430.0** | **12 900.0** | **732 393.0** | **(10 600.0)** | **120 641.8** | **19.7** |
| Staff assessment income | 14 067.3 | — | — | — | — | — | 14 067.3 | — | — | — |
| **Net requirements** | **597 683.9** | **66 431.7** | **27 230.2** | **20 249.9** | **4 430.0** | **12 900.0** | **718 325.7** | **(10 600.0)** | **120 641.8** | **20.2** |

[a] Includes the amount of $10.6 million resulting from the reprioritization of the initial apportionment, as shown in column 8.

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5. The projected revised requirements for the expansion and maintenance of MINUSTAH for the period from 1 July 2009 to 30 June 2010 would amount to $732,393,000 gross ($718,325,700 net), representing an increase of $120,641,800 gross ($120,641,800 net) over the appropriation of $611,751,200 gross ($597,683,900 net) approved by the General Assembly for the maintenance of the Mission in its resolution 63/294.

6. Resource requirements in support of additional uniformed personnel amount to $66,431,700 and are attributable to the increase in uniformed personnel authorized by the Security Council in its resolution 1908 (2010) to support immediate recovery, reconstruction and stability efforts in Haiti. The estimates are based primarily on the phased deployment and sustainment of 1,890 military contingent personnel and 1,500 police personnel (including 1,190 formed police personnel), and the deployment of contingent-owned equipment.

7. Additional requirements in support of MINUSTAH staff amount to $27,230,200 and include an agreed financial assistance and compensation package applicable to all United Nations personnel serving in Haiti, including 669 individual contractors; the payment of allowances to all MINUSTAH international civilian personnel required to take a mandatory rest and recuperation break outside the Mission area; the deployment of non-MINUSTAH staff on temporary duty assignment to augment Mission capacity and facilitate the mandatory rest and recuperation break; the provision of temporary living accommodation for Mission personnel displaced from their homes, and the cost of memorial services held in honour of fallen colleagues.

8. Mission assets and infrastructure suffered significant damage during the earthquake, and its replacement and re-establishment has been a priority for the Mission. Related additional requirements amount to $20,249,900 and are attributable to the replacement of damaged and destroyed equipment and supplies sourced mainly from strategic deployment stocks and systems contracts, the rental of specialized vehicles and equipment, and initial requirements for the Mission reconstruction programme. In this context, the longer-term construction programme is expected to be significant; however, in recognition of the continuing fluidity of the situation and the achievability of the construction programme within the time frame to the end of the financial period, only the amount of $5 million is required to cover the immediate and initial costs associated with planning, preparing and clearing the likely sites.

9. As part of its response efforts, MINUSTAH has established a support office in Santo Domingo. The office is being used as the operating base for 200 Mission personnel and will also serve as a coordination and transport centre for both material and staff moving in and out of Haiti. Requirements for the establishment of the office amount to $4,430,000 and encompass provisions for construction and operational costs associated with the office, including the establishment of a communications and information technology infrastructure and the rental of vehicles.

10. The damage caused to the infrastructure and institutions of Haiti has increased the risks of violent activities and crime within the country. In order to mitigate this state of affairs, the existing community violence reduction programme will be expanded, widening its scope to reach as many potentially at-risk communities as possible. While $3,063,900 is currently approved for 2009/10, funding for the

programme will increase by a further $12,900,000 to immediately implement large-scale water management projects so as to reduce the risk of flooding and water-borne diseases. The programme will also expand existing community-based projects, including cash-for-work projects for the drainage and reinforcement of canals in preparation for the hurricane season, and earthquake-resistant multi-purpose community centres which will serve as humanitarian supply and coordination centres during the relief and recovery phase, transforming into Government offices or community centres during the reconstruction phase.

11. The additional requirements amount to $131,241,800. To offset these additional requirements in part, an amount of $10,600,000 has been identified from the reprioritization or deferment of activities and programmes originally approved, resulting in net additional requirements of $120,641,800.

12. In recognition of the fluidity of the situation on the ground, for the 2009/10 period, the Mission will, to the greatest extent possible, meet its additional staffing requirements through the use of temporary duty assignments and existing vacant posts. In a number of critical areas, however, this approach is not possible and as a result, 24 temporary positions (1 D-2, 1 P-4, 7 P-3, 6 Field Service, 6 General Service, 2 National Officers, 1 National General Service) for 2009/10 would make it possible to establish a position of Director of Operations and Administration (D-2) and to augment capacity within the Field Personnel Division in the Department of Field Support (1 P-4, 5 P-3, 6 General Service) as well as the staff counselling capacity in the Mission (11 positions, comprising 2 P-3, 6 Field Service, 2 National Officers and 1 National General Service). Costs related to the temporary positions will be absorbed within the Mission's existing resources.

13. With regard to the position of Director of Operations and Administration, the complexity of the operating environment in which support must be delivered to the Mission since the earthquake has increased exponentially, with an expansion of troop and police levels to 12,675 (including Corrections Officers), the almost total destruction of facilities and infrastructure in the country, and the need to deploy all means to support the humanitarian relief effort. In addition, the challenges presented by the medium-term reconstruction and normalization programme will be immense.

14. The existing Mission support structure, which consists of a Chief of Mission Support at the D-1 level, assisted by a Chief of Administrative Services and a Chief of Integrated Support Services, both at the P-5 level, will require strengthening in order to meet these challenges. Pending a comprehensive review of staffing requirements to be undertaken in the context of the proposed 2010/11 budget, the establishment of a temporary position of Director of Operations and Administration would make possible the immediate strengthening of the senior leadership structure and reinforce the capacity on-site to manage this complex reconstruction and re-establishment operation.

15. In view of the scale of destruction in the Mission and the wider destruction in Haiti, the inherent complexities of liaising with multiple actors, including non-United Nations military forces, and the need for leadership of the support aspects of the comprehensive United Nations response, the position of Director of Operations and Administration at the D-2 level is considered commensurate with the level of responsibilities.

16. Given the surge in activities, in particular with regard to personnel administration and support, the capacity of the Field Personnel Division in the Department of Field Support and the staff counselling capacity in MINUSTAH require augmentation.

17. Twelve positions are required in the Field Personnel Division to provide additional capacity in the areas of staff and family support functions (1 P-4, 2 P-3, 1 General Service), medical services (1 P-3), special entitlements, travel and shipment (1 P-3 and 2 General Service), human resources information technology systems (1 General Service) and staffing and benefits administration (1 P-3, 2 General Service).

18. Eleven positions are also required to reinforce staff counselling and welfare capacities in the Mission, including in Port-au-Prince (1 P-3, 1 National Officer, 2 Field Service, 1 National General Service), Santo Domingo (1 P-3, 1 National Officer, 1 Field Service), Gonaïves (1 Field Service), Les Cayes (1 Field Service) and Cap-Haïtien (1 Field Service).

## II. Actions to be taken by the General Assembly

19. **The actions to be taken by the General Assembly in connection with the financing of the Mission are:**

(a) **Authorization for the Secretary-General to enter into commitments for the expansion of the Mission for the period from 1 July 2009 to 30 June 2010 in the amount of $120,641,800, in addition to the amount of $611,751,200 already appropriated for the same period for the maintenance of the Mission under the provisions of General Assembly resolution 63/294;**

(b) **Assessment of the amount of $120,641,800 for the period from 1 July 2009 to 30 June 2010, in addition to the amount of $611,751,200 already assessed for the same period for the maintenance of the Mission under the provisions of resolution 63/294.**

United Nations A/64/728*

General Assembly

Distr.: General
26 March 2010

Original: English

**Sixty-fourth session**
Agenda item 155
**Financing of the United Nations Stabilization Mission in Haiti**

# Financing arrangements for the United Nations Stabilization Mission in Haiti for the period from 1 July 2009 to 30 June 2010

**Note by the Secretary-General**

## I. Introduction

1. By its resolution 63/294 on the financing of the United Nations Stabilization Mission in Haiti (MINUSTAH), the General Assembly appropriated for MINUSTAH the total amount of $638,706,400 for the period from 1 July 2009 to 30 June 2010, inclusive of $611,751,200 for the maintenance of the Mission, $22,433,300 for the support account for peacekeeping operations and $4,521,900 for the United Nations Logistics Base at Brindisi, Italy.

2. Resources approved by the General Assembly for MINUSTAH provided for the maintenance of 7,060 military contingent personnel, 951 United Nations police officers and 1,140 formed police personnel. In its resolution 1892 (2009), the Security Council decided that MINUSTAH would consist of a military component of up to 6,940 troops and a police component of up to 2,211 police. Subsequently, in light of the devastating earthquake on 12 January 2010 in Haiti, the Council, in its resolution 1908 (2010), endorsed the increase of the overall force levels of MINUSTAH to support the immediate recovery, reconstruction and stability efforts, and decided that MINUSTAH would consist of a military component of up to 8,940 troops of all ranks and a police component of up to 3,711 police.

3. In the spirit of the decision taken by the Security Council and the commitment shown by Member States in supporting the Government and the people of Haiti, the Secretary-General has authorized MINUSTAH to deploy all means available to provide support and enable humanitarian operations to be carried out in accordance with its mandated responsibilities to facilitate the provision and coordination of humanitarian assistance and to expedite access of humanitarian workers to Haitians in need.

* Reissued for technical reasons.

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4. As a consequence, the operational requirements of MINUSTAH have increased accordingly. The tragic loss of life of the Mission's personnel, the magnitude of the damage to its equipment, facilities and infrastructure, as well as the requirements to respond to the wider humanitarian crisis, have significant implications for the resource requirements for MINUSTAH for 2009/10. The additional requirements are currently estimated at $129,341,800, of which $8,700,000 can be accommodated through reprioritization of the utilization of currently approved resources for 2009/10, resulting in net additional requirements of $120,641,800 (see table).

(Thousands of United States dollars)

| Category | Initial apportionment (1) | Military and police personnel (2) | Support to MINUSTAH staff (3) | Replacement and re-establishment of Mission assets and infrastructure (4) | Santo Domingo support office (5) | Community violence reduction programmes (6) | Total requirements (7)=(1+2+3+4+5+6) | Reapportionment of initial apportionment (8) | Net additional requirements (9)=(7+8-1) | Percentage (10)=(9)/1*100 |
|---|---|---|---|---|---|---|---|---|---|---|
| **Military and police personnel** | | | | | | | | | | |
| Military observers | — | — | — | — | — | — | — | — | — | — |
| Military contingents | 196 036.7 | 25 236.0 | — | — | — | — | 221 272.7 | — | 25 236.0 | 12.9 |
| United Nations police | 57 961.6 | 6 007.6 | — | — | — | — | 63 969.2 | — | 6 007.6 | 10.4 |
| Formed police units | 32 690.7 | 23 463.0 | — | — | — | — | 56 153.7 | — | 23 463.0 | 71.8 |
| **Subtotal** | **286 689.0** | **54 706.6** | — | — | — | — | **341 395.6** | — | **54 706.6** | **19.1** |
| **Civilian personnel** | | | | | | | | | | |
| International staff | 92 418.4 | — | 8 942.0 | — | — | — | 101 360.4 | — | 8 942.0 | 9.7 |
| National staff | 30 772.9 | — | 3 131.5 | — | — | — | 33 904.4 | — | 3 131.5 | 10.2 |
| United Nations Volunteers | 12 313.0 | — | 3 058.8 | — | — | — | 15 371.8 | — | 3 058.8 | 24.8 |
| General temporary assistance | 4 770.5 | — | — | — | — | — | 4 770.5 | — | — | — |
| **Subtotal** | **140 274.8** | — | **15 132.3** | — | — | — | **155 407.1** | — | **15 132.3** | **10.8** |
| **Operational costs** | | | | | | | | | | |
| Government-provided personnel | 1 451.1 | — | — | — | — | — | 1 451.1 | — | — | — |
| Civilian electoral observers | — | — | — | — | — | — | — | — | — | — |
| Consultants | 214.9 | — | — | — | — | — | 214.9 | — | — | — |
| Official travel | 1 829.1 | — | 3 272.6 | — | — | — | 4 101.7 | (1 000.0) | 2 272.6 | 124.2 |
| Facilities and infrastructure | 84 991.9 | 8 921.6 | 6 362.8 | 9 799.9 | 2 530.0 | — | 107 206.2 | (5 400.0) | 22 214.3 | 26.1 |
| Ground transportation | 13 247.2 | 229.6 | — | 1 900.0 | 150.0 | — | 15 526.8 | — | 2 279.6 | 17.2 |
| Air transportation | 30 648.6 | — | — | — | — | — | 30 648.6 | — | — | — |
| Naval transportation | 1 316.4 | — | — | — | — | — | 1 316.4 | — | — | — |
| Communications | 25 004.7 | 844.6 | — | 4 500.0 | 1 250.0 | — | 29 599.3 | (2 000.0) | 4 594.6 | 18.4 |
| Information technology | 7 004.3 | — | — | 3 000.0 | 500.0 | — | 10 504.3 | — | 3 500.0 | 50.0 |
| Medical | 6 921.6 | 1 309.0 | — | — | — | — | 8 221.6 | — | 1 300.0 | 18.8 |
| Special equipment | 3 325.4 | 429.3 | — | — | — | — | 3 754.7 | — | 429.3 | 12.9 |

| Category | Initial apportionment (1) | Military and police personnel (2) | Support to MINUSTAH staff (3) | Replacement and re-establishment of Mission assets and infrastructure (4) | Santo Domingo support office (5) | Community violence reduction programmes (6) | Total requirements[a] (7)=(1)+(2)+(3)+(4)+(5)+(6) | Reprioritization of initial apportionment (8) | Net additional requirements (9)=(7)+(8)-(1) | Percentage (10)=(9)÷(1)*100 |
|---|---|---|---|---|---|---|---|---|---|---|
| Other supplies, services and equipment | 5 832.2 | — | 2 462.5 | 1 050.0 | — | 11 000.0 | 20 044.7 | (300.0) | 14 212.5 | 243.7 |
| Quick-impact projects | 3 000.0 | — | — | — | — | — | 3 000.0 | — | — | — |
| **Subtotal** | **184 787.4** | **11 725.1** | **12 097.9** | **20 249.9** | **4 430.0** | **11 000.0** | **235 590.3** | **(8 700.0)** | **50 802.9** | **27.5** |
| **Gross requirements** | **611 751.2** | **66 431.7** | **27 230.2** | **20 249.9** | **4 430.0** | **11 000.0** | **732 393.0** | **(8 700.0)** | **120 641.8** | **19.7** |
| Staff assessment income | **14 067.3** | — | — | — | — | — | **14 067.3** | — | — | — |
| **Net requirements** | **597 683.9** | **66 431.7** | **27 230.2** | **20 249.9** | **4 430.0** | **11 000.0** | **718 325.7** | **(8 700.0)** | **120 641.8** | **20.2** |

[a] Includes the amount of $8.7 million resulting from the reprioritization of the initial apportionment, as shown in column 8.

5. The projected revised requirements for the expansion and maintenance of MINUSTAH for the period from 1 July 2009 to 30 June 2010 would amount to $732,393,000 gross ($718,325,700 net), representing an increase of $120,641,800 gross ($120,641,800 net) over the appropriation of $611,751,200 gross ($597,683,900 net) approved by the General Assembly for the maintenance of the Mission in its resolution 63/294.

6. Resource requirements in support of additional uniformed personnel amount to $66,431,700 and are attributable to the increase in uniformed personnel authorized by the Security Council in its resolution 1908 (2010) to support immediate recovery, reconstruction and stability efforts in Haiti. The estimates are based primarily on the phased deployment and sustainment of 1,890 military contingent personnel and 1,500 police personnel (including 1,190 formed police personnel), and the deployment of contingent-owned equipment.

7. Additional requirements in support of MINUSTAH staff amount to $27,230,200 and include an agreed financial assistance and compensation package applicable to all United Nations personnel serving in Haiti, including 669 individual contractors; the payment of allowances to all MINUSTAH international civilian personnel required to take a mandatory rest and recuperation break outside the Mission area; the deployment of non-MINUSTAH staff on temporary duty assignment to augment Mission capacity and facilitate the mandatory rest and recuperation break; the provision of temporary living accommodation for Mission personnel displaced from their homes, and the cost of memorial services held in honour of fallen colleagues.

8. Mission assets and infrastructure suffered significant damage during the earthquake, and its replacement and re-establishment has been a priority for the Mission. Related additional requirements amount to $20,249,900 and are attributable to the replacement of damaged and destroyed equipment and supplies sourced mainly from strategic deployment stocks and systems contracts, the rental of specialized vehicles and equipment, and initial requirements for the Mission reconstruction programme. In this context, the longer-term construction programme is expected to be significant; however, in recognition of the continuing fluidity of the situation and the achievability of the construction programme within the time frame to the end of the financial period, only the amount of $5 million is required to cover the immediate and initial costs associated with planning, preparing and clearing the likely sites.

9. As part of its response efforts, MINUSTAH has established a support office in Santo Domingo. The office is being used as the operating base for 200 Mission personnel and will also serve as a coordination and transport centre for both material and staff moving in and out of Haiti. Requirements for the establishment of the office amount to $4,430,000 and encompass provisions for construction and operational costs associated with the office, including the establishment of a communications and information technology infrastructure and the rental of vehicles.

10. The damage caused to the infrastructure and institutions of Haiti has increased the risks of violent activities and crime within the country. In order to mitigate this state of affairs, the existing community violence reduction programme will be expanded, widening its scope to reach as many potentially at-risk communities as possible. While $3,063,900 is currently approved for 2009/10, funding for the

programme will increase by a further $11 million to immediately implement large-scale water management projects so as to reduce the risk of flooding and water-borne diseases. The programme will also expand existing community-based projects, including cash-for-work projects for the drainage and reinforcement of canals in preparation for the hurricane season, and earthquake-resistant multi-purpose community centres which will serve as humanitarian supply and coordination centres during the relief and recovery phase, transforming into Government offices or community centres during the reconstruction phase.

11. The additional requirements amount to $129,341,800. To offset these additional requirements in part, an amount of $8.7 million has been identified from the reprioritization or deferment of activities and programmes originally approved, resulting in net additional requirements of $120,641,800.

12. In recognition of the fluidity of the situation on the ground, for the 2009/10 period, the Mission will, to the greatest extent possible, meet its additional staffing requirements through the use of temporary duty assignments and existing vacant posts. In a number of critical areas, however, this approach is not possible and as a result, 24 temporary positions (1 D-2, 1 P-4, 7 P-3, 6 Field Service, 6 General Service, 2 National Officers, 1 National General Service) for 2009/10 would make it possible to establish a position of Director of Operations and Administration (D-2) and to augment capacity within the Field Personnel Division in the Department of Field Support (1 P-4, 5 P-3, 6 General Service) as well as the staff counselling capacity in the Mission (11 positions, comprising 2 P-3, 6 Field Service, 2 National Officers and 1 National General Service). Costs related to the temporary positions will be absorbed within the Mission's existing resources.

13. With regard to the position of Director of Operations and Administration, the complexity of the operating environment in which support must be delivered to the Mission since the earthquake has increased exponentially, with an expansion of troop and police levels to 12,675 (including Corrections Officers), the almost total destruction of facilities and infrastructure in the country, and the need to deploy all means to support the humanitarian relief effort. In addition, the challenges presented by the medium-term reconstruction and normalization programme will be immense.

14. The existing Mission support structure, which consists of a Chief of Mission Support at the D-1 level, assisted by a Chief of Administrative Services and a Chief of Integrated Support Services, both at the P-5 level, will require strengthening in order to meet these challenges. Pending a comprehensive review of staffing requirements to be undertaken in the context of the proposed 2010/11 budget, the establishment of a temporary position of Director of Operations and Administration would make possible the immediate strengthening of the senior leadership structure and reinforce the capacity on-site to manage this complex reconstruction and re-establishment operation.

15. In view of the scale of destruction in the Mission and the wider destruction in Haiti, the inherent complexities of liaising with multiple actors, including non-United Nations military forces, and the need for leadership of the support aspects of the comprehensive United Nations response, the position of Director of Operations and Administration at the D-2 level is considered commensurate with the level of responsibilities.

16. Given the surge in activities, in particular with regard to personnel administration and support, the capacity of the Field Personnel Division in the Department of Field Support and the staff counselling capacity in MINUSTAH require augmentation.

17. Twelve positions are required in the Field Personnel Division to provide additional capacity in the areas of staff and family support functions (1 P-4, 2 P-3, 1 General Service), medical services (1 P-3), special entitlements, travel and shipment (1 P-3 and 2 General Service), human resources information technology systems (1 General Service) and staffing and benefits administration (1 P-3, 2 General Service).

18. Eleven positions are also required to reinforce staff counselling and welfare capacities in the Mission, including in Port-au-Prince (1 P-3, 1 National Officer, 2 Field Service, 1 National General Service), Santo Domingo (1 P-3, 1 National Officer, 1 Field Service), Gonaïves (1 Field Service), Les Cayes (1 Field Service) and Cap-Haïtien (1 Field Service).

## II. Actions to be taken by the General Assembly

19. **The actions to be taken by the General Assembly in connection with the financing of the Mission are:**

(a) **Authorization for the Secretary-General to enter into commitments for the expansion of the Mission for the period from 1 July 2009 to 30 June 2010 in the amount of $120,641,800, in addition to the amount of $611,751,200 already appropriated for the same period for the maintenance of the Mission under the provisions of General Assembly resolution 63/294;**

(b) **Assessment of the amount of $120,641,800 for the period from 1 July 2009 to 30 June 2010, in addition to the amount of $611,751,200 already assessed for the same period for the maintenance of the Mission under the provisions of resolution 63/294.**

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General Assembly

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**Sixty-fourth session**
Agenda item 111 (h)
**Elections to fill vacancies in subsidiary organs and other elections: election of fourteen members of the Human Rights Council**

## Letter dated 10 March 2010 from the Permanent Representative of the Republic of Moldova to the United Nations addressed to the President of the General Assembly

I have the honour to inform you that the Republic of Moldova has presented its candidature to the Human Rights Council for the term 2010-2013 at the elections to be held during the sixty-fourth session of the General Assembly.

In accordance with resolution 60/251, I transmit herewith an aide-memoire on the voluntary pledges and commitments of the Republic of Moldova to the protection and promotion of human rights (see annex).

I would be grateful if the present letter and its annex could be circulated as a document of the General Assembly, under agenda item 111 (h).

(*Signed*) Alexandru **Cujba**
Ambassador
Permanent Representative

10-29409 (E) 050410

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## Annex to the letter dated 10 March 2010 from the Permanent Representative of the Republic of Moldova to the United Nations addressed to the President of the General Assembly

## Aide-memoire on the candidature of the Republic of Moldova to the Human Rights Council

### Introduction

The Government of the Republic of Moldova has put forward its candidature to the Human Rights Council for the term 2010-2013.

This decision reconfirms the Republic of Moldova's deep commitment to the promotion and protection of human rights and fundamental freedoms as a priority issue on its policy agenda and to the further advancement of the cause of human rights at the national, regional and international levels. Human dignity, the free development of the human personality, and human rights and freedoms represent supreme values and are guaranteed by the Constitution of the Republic of Moldova.

Human rights protection, at both the regional and the global levels, is an indispensable component of Moldovan foreign policy; therefore, from the outset, the Republic of Moldova actively supported the establishment of the Human Rights Council, convinced of the need to reinforce and strengthen human rights worldwide. The Republic of Moldova seeks to fully contribute to the promotion of universal respect for the protection of human rights and fundamental freedoms and will endeavour to increase cooperation on human rights awareness among all Member States and across the United Nations system.

### Contributions of the Republic of Moldova in the area of human rights

*International level*

The Republic of Moldova is strongly committed to the purposes and principles enshrined in the Charter of the United Nations, the Universal Declaration of Human Rights and relevant international human rights instruments. It is a State party to nearly all core international human rights treaties and their optional protocols, including the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. The Republic of Moldova has signed the Convention on the Rights of Persons with Disabilities and will ratify it as soon as the necessary mechanism for its implementation at the national level has been set up.

As a member of the Council of Europe, the Republic of Moldova has ratified the European Convention on Human Rights and most of its optional protocols, together with a number of other European human rights instruments. It was one of the first to ratify the Council of Europe Convention on Action against Trafficking in Human Beings.

The Republic of Moldova fully cooperates with the treaty monitoring bodies by complying with their reporting requirements and implementing their decisions and concluding observations. It highly appreciates the establishment, in the Human Rights Council, of the universal periodic review procedure, which ensures the efficient and transparent implementation by each State of its human rights

obligations and commitments. The Republic of Moldova will submit its first universal periodic review report to the Human Rights Council in 2011.

The Republic of Moldova fully supports the work conducted under the special procedures of the Human Rights Council. In July 2008, the Special Rapporteurs on torture and other cruel, inhuman or degrading treatment or punishment, and on violence against women, its causes and consequences, officially visited the Republic of Moldova. They received the full support of the Moldovan authorities and civil society organizations. Furthermore, standing invitations for country visits will be extended to all special procedures mandate holders.

*National level*

The Government of the Republic of Moldova, aware of human rights challenges, has adopted relevant legislation on gender equality, preventing and combating domestic violence, preventing and combating trafficking in human beings, labour migration, legal assistance guaranteed by the State, religious denominations and national minorities. A draft law on preventing and combating discrimination, which seeks to prevent discrimination in all its forms, is being examined by national institutions.

A compulsory course in civic education focusing on human rights issues has been introduced in schools. The issue of the Holocaust is also intended to be introduced into school curricula.

Important institutions and mechanisms have been established, including the Centre for Human Rights of Moldova, accredited in 2009 according to the Paris Principles, the national mechanism for the prevention of torture, the Bureau for Inter-ethnic Relations and the Coordination Council of Ethnocultural Organizations.

At the same time, the Government has adopted a number of significant policies on human rights issues, in particular the national action plan in support of the Roma population (2007-2010), the national strategy and action plan to reform the residential childcare system (2007-2012), the national action plan to prevent and combat violence against children (2009-2011), and the national programme on the establishment of an integrated social services system (2008-2012).

The draft strategy on social inclusion of persons with disabilities is being examined by the national authorities, while the national human rights action plan (2010-2013) and the national action plan to prevent and combat trafficking in human beings (2010-2011) are being drafted.

In its activity programme "European Integration: Freedom, Democracy, Welfare 2009-2013", the Government has put forward an ambitious but pragmatic agenda for a democratic, prosperous, reunited and European state, ensuring the independence of justice, the rule of law, freedom of the press and human rights protection.

**Pledges and commitments in the field of human rights**

The Republic of Moldova has presented its candidacy for membership in the Human Rights Council with a firm ambition to play a positive and constructive role in the development and protection of human rights worldwide. If elected to the

Council, the Republic of Moldova is determined to actively engage in its activities and to:

*At the international level*

- Fully support and engage in the deliberations of the Council, its subsidiary bodies and mechanisms, including the special procedures
- Favour the independence of the special procedures system
- Cooperate constructively within the universal periodic review mechanism
- Promote the Council's effective, objective and prompt response to situations in which gross and systematic violations of human rights are observed
- Advance the promotion and protection of human rights in the General Assembly and the Third Committee, and in this context, actively participate in the 2011 review of the work of the Council
- Continue its cooperation in human rights with United Nations agencies, including support for the activities of the Office of the United Nations High Commissioner for Human Rights
- Promote cooperation between the public sector and civil society by making use of the involvement of non-governmental organizations in the Council's activities
- Work towards the implementation of the Millennium Development Goals, as well as the Vienna Programme of Action, the Beijing Platform for Action and action plans adopted at other major United Nations conferences
- Effectively promote and protect human rights through international and regional organizations, including the Organization for Security and Cooperation in Europe, the Council of Europe and the International Organization of la Francophonie
- Support the effective involvement of non-governmental human rights organizations in the promotion and protection of human rights at the national, regional and international levels

*At the national level*

- Continue to extend an invitation to all regional and international human rights bodies, structures and mechanisms to visit the country
- Cooperate in a constructive manner with international human rights bodies, in particular with the Office of the United Nations High Commissioner for Human Rights
- Comply with the basic guidelines set for the universal periodic review, such as universality, objectivity, cooperation and interactivity, and submit its own review in 2011. In this context, the preparation for the evaluation is under way, including through the implementation of the national human rights action plan for 2010-2013. A midterm evaluation of the national strategy according to the progress indicators and recommendations made under the universal periodic review process is envisaged for 2012

- Prevent human rights abuses through existing national mechanisms, including the national preventive mechanism
- Ensure the effective protection of the persons belonging to national minorities
- Protect against and prevent discrimination in all its forms, both in law and in practice
- Promote human rights education, including in the Transnistrian region of the Republic of Moldova
- Reinforce national efforts and uphold the highest standards in the promotion and protection of human rights

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**Elections to fill vacancies in subsidiary organs and other elections: election of fourteen members of the Human Rights Council**

## Letter dated 19 March 2010 from the Permanent Representative of Guatemala to the United Nations addressed to the President of the General Assembly

I have the honour to inform you that the Government of the Republic of Guatemala has decided to submit its candidacy for membership in the Human Rights Council for the period 2010-2013 in the elections to be held on 13 May 2010 during the sixty-fourth session of the General Assembly.

Accordingly, the Government of the Republic of Guatemala has the honour to transmit herewith a description of its voluntary pledges and commitments for the promotion and protection of human rights, in accordance with General Assembly resolution 60/251. I would be grateful if this letter and its annex could be circulated as a document of the General Assembly.

(*Signed*) Gert **Rosenthal**
Permanent Representative

10-29530 (E) 090410 090410

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**Annex to the letter dated 19 March 2010 addressed to the President of the General Assembly by the Deputy Permanent Representative of Guatemala to the United Nations**

**Candidacy of Guatemala to the United Nations Human Rights Council for the period 2010-2013**

**Voluntary pledges and commitments by Guatemala for the promotion and protection of human rights**

## A. Role of Guatemala in the promotion and protection of human rights

1. In Guatemala, human rights are intimately related to respect for democracy and the rule of law. Therefore, strengthening the international human rights system is a high priority for the Government and a fundamental goal of its foreign policy.

2. Guatemala is fully committed to the consolidation and strengthening of the United Nations Human Rights Council as the primary organ for the promotion and protection of human rights.

3. Guatemala is convinced of the importance of promoting the highest international human rights standards and fostering their development through active participation in various international human rights forums.

## B. Contributions of Guatemala in human rights

*At the international level*

4. Guatemala has participated and continues to participate actively in international human rights bodies, in keeping with its foreign policy. Guatemala was a member of the Commission on Human Rights for the period 2004-2007 and participated actively in its work, which enabled it to gain experience in the overall approach to human rights issues in different regions of the world. Moreover, Guatemala was itself subject to the Commission's scrutiny until 1997 and hosted the United Nations Verification Mission in Guatemala (MINUGUA) until 2004.

5. In 2006, Guatemala had the honour of being elected a member of the United Nations Human Rights Council for the period 2006-2008, which enabled it to continue to promote universal respect for the protection of all human rights and fundamental freedoms for all peoples without any distinction and with justice, as well as to work for the consolidation of the Council as the primary United Nations organ in human rights.

6. Guatemala promotes the highest international human rights standards, both in the Council and in the United Nations General Assembly. It generates human rights initiatives, for instance on indigenous peoples, and promotes other initiatives, including those on women, migrants, persons with disabilities, freedom of expression, discrimination and human rights defenders.

7. It hopes to use its participation in the international human rights system to promote its rights, defend its interests and promote democratic principles and ideals,

the rule of law and respect for human rights, so that all States receive equal treatment in the various international human rights bodies, whatever their size, and that those bodies conduct their work in an objective, transparent and constructive manner.

8. On the global level, the Republic of Guatemala actively supported and voted in favour of the adoption of the United Nations Declaration on the Rights of Indigenous Peoples, and on the inter-American level, it has taken a leadership role in the drafting of an American declaration on the rights of indigenous peoples.

9. In 2008, Guatemala was examined under the universal periodic review mechanism and has begun the implementation of the resulting recommendations. It has also established a mechanism for follow-up to the recommendations, as well as those from treaty bodies and other bodies, through a participatory methodology that includes sectors of civil society and the State. It has also been an examiner for other countries undergoing the review process and has promoted dialogue with States being examined, maintaining a positive and constructive approach in order to facilitate the effective promotion and protection of human rights and international cooperation.

10. Guatemala maintains an open-door policy of cooperation with the special mechanisms of the Human Rights Council and with the inter-American system, taking into account requests, recommendations and urgent appeals. That policy was reinforced after Guatemala became a member of the Human Rights Council in 2006. In order to follow up on the recommendations made by rapporteurs, a follow-up system was designed through a Web application available to the general public for the classification of the recommendations and monitoring of progress on each.

11. In recent years, the following visits have taken place:

- In 2008, Guatemala was visited by the Special Representative of the Secretary-General on the situation of human rights defenders, Hina Jilani; and the Special Rapporteurs on the human rights of migrants, Jorge A. Bustamente, and on the right to education, Vernor Muñoz Villalobos.
- In 2009, the Special Rapporteurs on the independence of magistrates and judges, Leandro Despouy, and on the right to food, Olivier de Schutter, visited the country.
- This year (2010) the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, Anand Grover, will visit Guatemala.

12. In the context of its open-door policy of cooperation with special mechanisms, the mandate of the Office of the High Commissioner for Human Rights in Guatemala was renewed for three more years, from September 2008 to September 2011.

13. Guatemala is a party to the major regional and universal human rights instruments. It also recognizes the competence of the supervisory bodies established under those treaties for monitoring and oversight. It maintains close cooperation with them and is essentially current in submission of its national reports to treaty bodies.

14. In fulfilment of the pledges that the Government of the Republic of Guatemala made in May 2006 on its election to the Human Rights Council, the following instruments of ratification of international agreements have been deposited:

- Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others and its Final Protocol
- International Convention on the Rights of Persons with Disabilities and its Optional Protocol
- The Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption

*At the national level*

15. There is an entire institutional framework devoted to the protection and monitoring of human rights, starting with the Political Constitution of the Republic itself. With the signing of the Agreement on a Firm and Lasting Peace in December 1996,[1] and the promulgation of the Framework Law on the Peace Agreements in 2002, the commitments made in the Peace Agreements became the commitments of the State.

16. In recent years the Government of Guatemala has adopted major legislative reforms with a view to incorporating international human rights standards into national law, including:

- National Adoptions Act (Legislative Decree No. 77-2007 of 11 December 2007)
- Act against Femicide and other Forms of Violence against Women (Legislative Decree No. 22-2008 of 9 April 2008
- Framework Act on the National Security System (Legislative Decree No. 18-2008 of 30 December 2008)
- Act against Sexual Violence, Exploitation and Trafficking in Persons (Legislative Decree No. 9-2009 of 18 February 2009).

17. As evidence of progress in democratic openness, Guatemala has hosted major events in the field of human rights, including:

[1] The Agreement on a Firm and Lasting Peace, signed in Guatemala City on 29 December 1996, incorporates the following ten peace agreements: Comprehensive Agreement on Human Rights (signed in Mexico City on 29 March 1994); Agreement for the Establishment of the Commission to Clarify Past Human Rights Violations and Acts of Violence that have Caused the Guatemalan Population to Suffer (signed in Oslo on 23 June 1994); Agreement on the Resettlement of Population Groups uprooted by the Armed Conflict (signed in Oslo on 17 July 1994); Agreement on the Identity and Rights of Indigenous Peoples (signed in Mexico City on 31 March 1995); Agreement on Socio-Economic Aspects and the Agrarian Situation (signed in Mexico City on 6 May 1996); Agreement on the Strengthening of Civilian Power and the Role of the Armed Forces in a Democratic Society (signed in Mexico City on 19 September 1996); Agreement on a Definitive Ceasefire (signed in Oslo on 4 December 1996); Agreement on Constitutional Reforms and the Electoral Regime (signed in Stockholm on 7 December 1996); Agreement on the Basis for the Legal Integration of the Unidad Revolucionaria Nacional Guatemalteca (signed in Madrid on 12 December 1996); Agreement on the Implementation, Compliance and Verification Timetable for the Peace Agreements (signed in Guatemala City on 29 December 1996).

- The 125th Period of Sessions of the Inter-American Commission on Human Rights in June 2006 (the first time it was held outside Washington, D.C.)
- Second Ministerial Meeting of the Movement of Non-Aligned Countries on the Advancement of Women from 21 to 24 January 2009 (where the fulfilment of the Millennium Development Goals and targets from a gender perspective were examined).

18. Along the same lines, Guatemala has adopted a series of national policies and plans which have an impact on the exercise of human rights, which include the National Human Rights Policy and associated National Action Plan; the National Human Rights Education Policy; the Policy on the Prevention of Juvenile Violence; the Public Policy against Trafficking in Persons and on Comprehensive Care for Victims; the Public Policy for Peaceful Co-existence and the Elimination of Racism and Racial Discrimination; and the National Policy for Promoting Equality of Guatemalan Women.

19. In this context, the High-Level Commission to Deal with Issues of Human Rights and the High-Level Commission to Deal with Indigenous Issues were formed. These political institutions work on the design of national policies and plans as well as a proposed legislative agenda, with the aim of promoting it to the relevant agencies. They also maintain coordination with the various national institutions involved in the area of human rights in the submission of periodic reports to treaty bodies and committees in both the United Nations and the Organization of American States in order to stay up to date in the submission of national reports and their timely consideration.

20. Resources and activities for the prevention of juvenile violence, women's security and prevention of domestic violence, as well as for the modernization of the justice system, are being decentralized. Mobile courts are operating and a National Institute of Forensic Sciences to provide scientific evidence and the Commission to Support the Strengthening of the Justice System (currently the Commission on Justice Sector Reform) have been established.

21. In order to assist in fighting impunity, an International Commission against Impunity in Guatemala has been set up with United Nations support. This is a mechanism with few international precedents which the State has adopted in order to meet its obligation to guarantee the protection of human rights; its mandate has been extended until 2011.

22. With regard to public security, at the specific recommendation of the Office of the High Commissioner for Human Rights in Guatemala, a Unit for the Analysis of Attacks against Human Rights Defenders in Guatemala was established by Government Agreement No. 103-2008 within the Criminal Investigation Division. Within this division, the following units also operate: the Human Rights Office within the Criminal Investigation Division, which directly supports the unit of the Public Prosecutor's Office for Offences against Human Rights Activists; the Human Rights and Victim Care Unit; and the Multiculturalism Division, which operates within the Subdirectorate General for Crime Prevention.

23. With regard to women's issues, Guatemala is working to put in place public policies with a women's rights perspective at all levels of the State in order to make progress in meeting national and international commitments in that area.

24. As a result of the consideration of the seventh periodic report of Guatemala in February 2009, the Presidential Secretariat for Women disclosed the recommendations made by the Committee for the information and empowerment of the institutions responsible for acting on them.

25. In addition, the Supreme Court of Justice issued ruling 23-2008 defining the powers of the lower courts to hear cases covered by the Act on Femicide and other forms of violence against women throughout the Republic: (a) justices of the peace; (b) courts of first instance in criminal matters, drug trafficking and crimes against the environment; (c) the judgment tribunals in criminal matters, drug trafficking and crimes against the environment; (d) the chambers of the Court of Appeals in criminal matters, drug trafficking and crimes against the environment; (e) the family courts; (f) the Courts of Appeals in civil and family matters; (g) the Criminal and Civil Chambers of the Supreme Court of Justice.

26. In the area of trafficking in persons, the Public Policy against Trafficking in Persons and Comprehensive Protection of Victims and the Strategic Action Plan 2007-2017 are being implemented. These are State directives to prevent, suppress and punish trafficking in persons in its various forms and to protect the victims of this scourge.

27. Another priority issue for Guatemala is support for migrants. Therefore, the Policy on Protection and Support to Guatemalan Migrants has recently been approved and the National Support Council for Guatemalan Migrants has been established. This is an innovative inter-institutional coordinating body for the purpose of developing an integrated policy of support. Because of malnutrition and hunger in Guatemala, the Government has decided to implement the Strategic Plan for Food and Nutrition Security 2009-2012.

28. The State adheres to the commitments made in the "Community of Democracies" and accordingly will continue to participate actively in this group, which promotes democratic governance. Guatemala sees democracy not just as the holding of free and regular elections, but also as involving acceptance of such other imperatives as the separation of powers, protection of human rights, transparency and combating corruption. The effective guarantees ensured by civil and political rights are recognized as essential to democratic life.

29. Corruption produces and facilitates human rights abuses. Guatemala views international cooperation in combating corruption as imperative for democratic societies in order to strengthen good governance.

## C. Pledges and commitments of Guatemala in human rights

30. In the Human Rights Council, Guatemala undertakes to:

*At the international level*

- Enhance its efforts to achieve effective consolidation of the Human Rights Council as the primary organ of the United Nations entrusted with promotion and protection of human rights.
- Maintain an active and constructive participation in all Human Rights Council organs and mechanisms.

- Support the strengthening of the human rights special procedures system.
- Foster coordination and cooperation among all countries of the world to consolidate the system for the promotion and protection of human rights.
- Address human rights issues in an equitable, objective and non-selective manner, ensuring the exercise and observance of human, economic, social, cultural, civil and political rights, including the right to development.
- Cooperate in the establishment of a follow-up mechanism for the recommendations made by the universal periodic review process.
- Work unceasingly to ensure the full enjoyment of human rights for all, especially those who, owing to special circumstances, are considered to be particularly vulnerable and unprotected.

*At the national level*

- Advance major legislative reforms with a view to incorporating international human rights standards.
- Promote in the Legislative Branch the adoption of international instruments and other human rights initiatives.
- Promote cooperation and develop mechanisms for dialogue and strengthening the participation of civil society.
- Maintain the open-door policy of cooperation with international human rights monitoring mechanisms.
- Promote effective follow-up to the recommendations issued by the international monitoring mechanisms to the country in human rights.
- Continue with the execution of the electronic information system available to the general public for the classification of recommendations made by the rapporteurs of the Human Rights Council and implement each one of them.
- Cooperate constructively with international human rights bodies.

United Nations A/64/731–S/2010/162

General Assembly
Security Council

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**General Assembly**
**Sixty-fourth session**
Agenda items 13, 48, 52, 53 (a), 58 (b), 59, 60 and 63 (b)

**Security Council**
**Sixty-fifth year**

**Prevention of armed conflict**

**Integrated and coordinated implementation of and follow-up to the outcomes of the major United Nations conferences and summits in the economic, social and related fields**

**Follow-up to and implementation of the outcome of the 2002 International Conference on Financing for Development and the 2008 Review Conference**

**Sustainable development: implementation of Agenda 21, the Programme for the Further Implementation of Agenda 21 and the outcomes of the World Summit on Sustainable Development**

**Operational activities for development: South-South cooperation for development**

**Towards global partnerships**

**Agriculture development and food security**

**New Partnership for Africa's Development: progress in implementation and international support: causes of conflict and the promotion of durable peace and sustainable development in Africa**

## Letter dated 19 March 2010 from the Chargé d'affaires a.i. of the Permanent Mission of Qatar to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a letter dated 15 March 2010 addressed to you from His Excellency Sheikh Hamad bin Jassim bin Jabr Al-Thani, Prime Minister and Minister for Foreign Affairs of the State of Qatar, regarding the establishment of a development bank for Darfur (see annex).

It would be highly appreciated if the present letter and its annex could be circulated as a document of the General Assembly under agenda items 13, 48, 52, 53 (a), 58 (b), 59, 60 and 63 (b), and of the Security Council.

(*Signed*) Salem M. **Al-Shafi**
Chargé d'affaires a.i.

10-29624 (E) 300310 010410

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## Annex to the letter dated 19 March 2010 from the Chargé d'affaires a.i. of the Permanent Mission of Qatar to the United Nations addressed to the Secretary-General

[Original: Arabic]

You will be aware that important progress towards peace in Darfur was made recently in Doha with the signature by the Government of the Sudan and the Justice and Equality Movement of the Framework Agreement to Resolve the Conflict in Darfur. Efforts will continue to bring together a number of other factions, which we hope will soon sign a framework agreement that will ensure their participation in the establishment of peace.

We are surely all spurred on by the hope that peace and security will, in the very near future, prevail in all parts of Darfur, making possible development and reconstruction. To that end, His Highness Sheikh Hamad bin Khalifa Al-Thani, Emir of the State of Qatar, officially announced that Qatar will endeavour to establish a bank for development in Darfur with capital of $2 billion, contributed by any States and organizations that wish to participate, in order to promote reconstruction and development in Darfur.

Professor Ekmeleddin Ihsanoğlu, Secretary General of the Organization of the Islamic Conference, announced in the statement that he made at the signature ceremony of the above-mentioned Framework Agreement that the Organization had called for a donor conference to be convened in Cairo on 21 March 2010 under the joint chairmanship of Egypt and Turkey. Qatar welcomes that conference as a complementary step to the Doha achievements. We further welcome the agreement that was concluded by the Ministers for Foreign Affairs of Egypt and Turkey on Wednesday, 3 March 2010, to the effect that all funds that will be pledged for reconstruction and development in Darfur will be deposited in the development bank, efforts to establish which in Darfur were referred to above. We are confident that adoption of this approach will support and consolidate the efforts that have been exerted with a view to establishing peace in Darfur.

I should be grateful if you would have the present letter circulated to Member States as an official document of the General Assembly and of the Security Council.

(*Signed*) Hamad bin Jassim bin Jabr **Al-Thani**
President of the Council of Ministers
Minister for Foreign Affairs

United Nations A/64/732

General Assembly

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30 March 2010
English
Original: Spanish

**Sixty-fourth session**
Agenda item 53 (d)
**Sustainable development: protection of global climate for present and future generations**

## Letter dated 25 March 2010 addressed to the President of the General Assembly by the Chargé d'affaires a.i. of the Plurinational State of Bolivia to the United Nations

In connection with resolutions 63/278 and 64/196, I have the honour to request you, on behalf of the Plurinational State of Bolivia, Cuba, Ecuador, Nicaragua, Paraguay and the Bolivarian Republic of Venezuela, to call a plenary meeting of the General Assembly on 22 April 2010, regarding agenda item 53 (d), Sustainable development: protection of global climate for present and future generations.

The aim of the meeting would be to encourage dialogue on Harmony with Nature, to mark the first anniversary of International Mother Earth Day, in implementation of the resolutions referred to above.

Accept, Sir, the renewed assurances of my highest consideration.

(*Signed*) Javier **Loayza Barea**
Deputy Permanent Representative

10-29889 (E) 300310 300310

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United Nations A/64/733

General Assembly

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31 March 2010
English
Original: Spanish

**Sixty-fourth session**
Agenda item 20
**The situation in Central America: progress in fashioning a region of peace, freedom, democracy and development**

## Letter dated 26 March 2010 from the Permanent Representative of Honduras to the United Nations addressed to the Secretary-General

I have the honour to write to you in order to convey the attached letter dated 24 March 2010 from His Excellency Mr. Mario M. Canahuati, Minister for Foreign Affairs of Honduras, to His Excellency Mr. Samuel Santos López, Minister for Foreign Affairs of Nicaragua, concerning the unfortunate events of 20 March 2010 surrounding the Honduran vessel Jeimi (see annex).

I should be grateful if the present letter and its annex could be circulated as a document of the General Assembly, under agenda item 20.

(*Signed*) Jorge Arturo **Reina Idiaquez**
Ambassador
Permanent Representative

10-30103 (E) 060410 070410

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## Annex to the letter dated 26 March 2010 from the Permanent Representative of Honduras to the United Nations addressed to the Secretary-General

It is my honour to write to you and I refer hereby to the unfortunate events of 20 March 2010 concerning the Honduran vessel Jeimi, reported by the General Command of the Navy of Honduras. Lieutenant-Commander Francisco Pérez of the Potosí Naval Base in Nicaragua reported to the Navy of Honduras that the seven-metre fibreglass craft, with a 40 horsepower outboard engine, "was seized carrying two crew members, Adonis Rivas Rodas, who was detained, and Víctor Muñoz, who jumped overboard during the operation and is missing".

The corresponding investigation by the Navy of Honduras found that:

1. The alleged detainee, Adonis Rivas Rodas, was found shipwrecked in Amapala, Honduras, and the Commander of the Naval Base there transported him to Guapinol, his place of origin in Honduras; and

2. That the body of Víctor Manuel Argeñal Muñoz, or Víctor Muñoz, who was reported missing, was discovered on 21 March 2010 outside the Potosí Naval Base in Nicaragua, with a head injury. The relatives of the deceased travelled from Honduras and collected his remains from the beach, without the authorities officially releasing the body.

The survivor, Adonis Rivas Rodas, stated publicly that while they were fishing in Honduran national waters, "the Nicaraguan Navy fired several shots and the patrol boat rammed us; I never saw my friend again".

In reaction to these regrettable incidents, which go against the brotherhood and harmony that should exist among Central Americans, I am requesting, through you, a thorough investigation by the authorities of Nicaragua and punishment of those responsible for the incidents that led to the death of a young Honduran citizen, with no plausible explanation to date; endangered the life of another Honduran citizen; and damaged private property. Furthermore, the Government of Honduras formally and energetically protests to your Government, and trusts that events of this nature will not happen again.

(*Signed*) Mario M. **Canahuati**
Secretary of State

United Nations A/64/734

General Assembly

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31 March 2010
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**Sixty-fourth session**
Agenda item 11
**Support by the United Nations system of the efforts of Governments to promote and consolidate new or restored democracies**

## Letter dated 30 March 2010 from the Permanent Representative of Togo to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the report on the announcement of the results of the presidential election which took place in Togo on 4 March 2010, which resulted in the re-election of Faure Essozimna Gnassingbé for a five-year term (see annex).

I should be grateful if you would circulate the present letter and its annex as a document of the General Assembly under agenda item 11.

(*Signed*) Kodjo **Menan**
Ambassador
Permanent Representative

10-30109 (E) 060410 060410

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## Annex to the letter dated 30 March 2010 from the Permanent Representative of Togo to the United Nations addressed to the Secretary-General

### I. Report on the announcement of the 4 March 2010 presidential election results

Following the announcement by the National Independent Electoral Commission (CENI) of the provisional results of the 4 March 2010 presidential election, the candidates, with the exception of Mr. Jean-Pierre Fabre and Mr. Jean-Nicolas Lawson, filed appeals before the Constitutional Court either to invalidate the election (Organisation pour batir dans l'union un Togo solidaire Comité d'action pour le renouveau) or to correct its results (Rassemblement du peuple togolais, Parti démocratique panafricain).

The appeals have been denied as unfounded, with the exception of the appeal of Ms. Adjamagbo-Johnson, which was rejected because the notice of appeal had been filed outside the prescribed time limits.

In the light of the report of the National Independent Electoral Commission, the Constitutional Court, at its session from 12 to 17 March 2010, oversaw the final tabulation of votes throughout the country, prefecture by prefecture, region by region, in order to calculate the final number of votes cast and obtained by each candidate.

The results of this thorough analysis show that out of 3,277,492 registered voters, 2,119,892 cast their votes, with 2,040,546 valid ballots.

On 18 March 2010, the Constitutional Court announced the final results, as follows:

Mr. Faure Essozimna Gnassingbé (Rassemblement du peuple togolais, RPT): 1,242,409 votes, or 60.88 per cent;

Mr. Jean-Pierre Fabre (Union des forces de changement, UFC): 692,554 votes, or 33.93 per cent;

Mr. Yawovi Agboyibo (Comité d'action pour le renouveau, CAR): 60,370 votes, or 2.95 per cent;

Mr. Agbéyomé Kodjo (Organisation pour batir dans l'union un Togo solidaire, OBUTS): 17,393 votes, or 0.85 per cent;

Ms. Kafui Brigitte Adjamagbo-Johnson (Convention démocratique des peuples africains, CDPA): 13,452 votes, or 0.65 per cent;

Mr. Bassabi Kagbara (Parti démocratique panafricain, PDP): 8,341 votes, or 0.40 per cent;

Mr. Jean-Nicolas Lawson (Parti du renouveau et de la rédemption, PRR): 6,027 votes, or 0.29 per cent.

In the light of these results, the Constitutional Court confirmed the re-election of the sitting President and RPT candidate, Faure Essozimna Gnassingbé.

Both the national and international communities welcomed the peacefulness, transparency and freedom which characterized the electoral process.

As proof, Togo's partners (including the European Union (EU), the African Union (AU), the Community of Sahel-Saharan States (CEN-SAD), the Economic Community of West African States (ECOWAS), France, China, Portugal, Algeria and Morocco) recognized that the 4 March presidential election was conducted in accordance with international standards and are continuing to congratulate the sitting President on his election to lead his country.

Despite the unanimity among the international community regarding the transparency of the election leading to the victory by President Faure Essozimna Gnassingbé, however, certain opposition leaders, following the example of UFC and CAR, for different and contradictory reasons, have declared that they do not accept the announced results. The Front républicain pour l'alternance et le changement (FRAC), a coalition of political opposition parties which includes UFC, has chosen to take to the streets to protest the re-election of the sitting President.

The international community has called on the Togolese political leadership to show wisdom by settling disputes through legal means.

## II. Comments on the reports of the foreign electoral observation missions

For this election, several foreign electoral observation missions were accredited to our country throughout the process. They included missions from the European Union, the African Union, ECOWAS, CEN-SAD, ACP-EU Joint Parliamentary Assembly and several African non-governmental organizations.

**European Union and European Parliament.** During the electoral process, 130 European observers and seven members of European Parliament were deployed. In its preliminary report, the European Union and European Parliament missions stated that the electoral process was carried out in an atmosphere of calm, without major incidents.

**African Union.** It deployed 40 observers throughout the country. In its report, the African Union observation mission found that, overall, the 4 March 2010 election was carried out in a free and transparent manner.

**Economic Community of West African States (ECOWAS).** ECOWAS deployed 206 observers throughout the territory of Togo, including 103 civilians and 166 military personnel. At the end of their mission, ECOWAS observers concluded that the election campaign had been carried out in a convivial and peaceful atmosphere, without any major incidents. Overall, they found the election satisfactory, as evidenced by the high voter turnout and the visible presence of representatives of the candidates at the polls, most of which had been equipped with adequate material resources. The ECOWAS mission felt that the collection and counting of ballots and announcement of the preliminary results had been carried out in a transparent, consensual manner at the polling centres, in the presence of representatives of the candidates. The mission further recommended that the candidates should accept the results of the election, and expressed the hope that any appeals would be filed exclusively through legal and constitutional means.

**Coordination des experts électoraux africains (CEEA) and the Réseau des observateurs de la société civile africaine pour la transparence électorale (ROSCAITE).** A group of 16 African non-governmental organizations deployed 191 observers throughout Togo. In their report, those observers concluded that the presidential election was peaceful and democratic. In view of the Coordination group, the election campaign had been carried out in a climate of calm, and in an atmosphere of mutual respect among candidates.

The maturity of Togolese political leadership and the professionalism of the Force de sécurité élection présidentielle (FOSEP) and the ECOWAS security mission in their supervisory function were also welcomed.

In the end, at the conclusion of the 4 March 2010 presidential election, the observation missions agreed unanimously that the process as a whole had been democratic, peaceful, credible and transparent.